

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Criminal Nos. 10-cr-110-01-JD
10-cr-111-01-JD

Jeffrey Merrill

O R D E R

Counsel for the defendant has filed a motion, assented to by the government, seeking a psychiatric evaluation of the defendant to determine his mental competency to stand trial (document no. 14) for reasons set forth in the motion. The motion is granted and the requested funds are approved.

The court finds that there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent as defined in Title 18, United States Code, § 4241(a). Therefore, pursuant to 18 U.S.C. § 4241 and § 4247(b) a psychiatric examination of the defendant shall be undertaken by Dr. Albert Drukesteinis. Following the examination, pursuant to 18 U.S.C. § 4247(c) a psychiatric report shall be prepared and filed with the court which shall include (1) the defendant's history and present symptoms; (2) a description of the psychiatric, psychological, and medical tests that were employed and their results; (3) the

examiner's findings; and (4) the examiner's opinions as to diagnosis, prognosis and whether the defendant is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

The report shall be filed with the court with copies provided to the government and counsel for the defendant in accordance with the provisions of 18 U.S.C. § 4247(c).

Subsequent to the filing of the above-referenced report, a hearing shall be scheduled promptly to determine the mental competency of the defendant, pursuant to Title 18, U.S.C. §§ 4241(c) and (d) and 4247(d).

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge

January 3, 2011

cc: Alexander R. Cain, Esquire
Mark A. Irish, Esquire